

### REMARKS

Claims 1-41 were originally filed in the present application.

Claims 1-8, 10, 14-23, 25, 29-35, and 40-47 are pending in the present application.

Claims 1-10, 14-25, 29-35, 40-47 were rejected in the September 4, 2008 Office Action.

No claims have been allowed.

Claims 9, 11-13, 24, 26-28, and 36-39 were previously canceled.

Claims 1-8, 10, 14-23, 25, 29-35, and 40-47 remain in the present application.

Claims 1, 16 and 31 have been amended.

Reconsideration of the claims is respectfully requested.

### AMENDMENTS TO THE CLAIMS

In the Advisory Action, the Examiner has indicated that the term "function" was not defined within the independent claims, and therefore "the examiner is proving that the differential pilot strength and a differential power are used to set a beam width."

Applicant respectfully directs the Examiner's attention to paragraphs [051] - [056] which describe one function used to determine the beam width. In attempt to clarify this element, the independent claims have been amended. These amendments are fully supported by the original specification, as filed, and are respectfully submitted not to introduce any new matter.

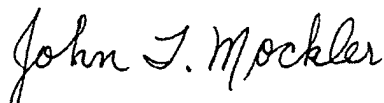
**SUMMARY**

For the reasons given above, the Applicant respectfully requests reconsideration and allowance of the pending claims and that this application be passed to issue. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *[jmockler@munckcarter.com](mailto:jmockler@munckcarter.com)*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

MUNCK CARTER, P.C.



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